

NIXON DEABODY LLP  
100 Summer Street  
Boston, Massachusetts 02110

Attorney's Docket No. 032794-054780

Page 1 of 4

### SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS AND OTHER TISSUE

which is described and claimed in:

- ☐ the specification attached hereto.
- ☒ the specification in U.S. Application Serial Number 10/008,924 filed on 11/16/2001; and
- ☐ the specification in PCT International Application Number \_\_\_\_\_ filed on \_\_\_\_\_ and amended on \_\_\_\_\_;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119:			
Application No.	Filing Date	Country	Priority Claimed under 35 U.S.C. §119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Applications or PCT International Applications Designating the U.S-Benefit under 35 U.S.C. §120					
U.S. Applications			Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned	
PCT Applications Designating the U.S.					
Application No.	Filing Date	U.S. Serial No. Assigned			

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. §119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>Applicant</u>	<u>Provisional Application Number</u>	<u>Filing Date</u>

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Ronald I. Eisenstein (Reg. No. 30,628)  
Nicole L.M. Valtz (Reg. No. 47,150)  
Lisa A. Dolak (Reg. No. 35,491)  
Edwin V. Merkel (Reg. No. 40,087)

David S. Resnick (Reg. No. 34,235)  
Lana A. Shvartsman (Reg. No. 48,502)  
William T. French (Reg. No. 16,297)  
Joseph Noto (Reg. No. 32,163)

Michael L. Goldman (Reg. No. 30,727)  
Georgia Evans (Reg. No. 44,957)  
Gunnar G. Leinberg (Reg. No. 35,584)

<b>SEND CORRESPONDENCE TO:</b> David S. Resnick NIXON PEABODY LLP 100 Summer Street Boston, Massachusetts 02110	<b>DIRECT TELEPHONE CALLS TO:</b> David S. Resnick (617) 345-6057
---	---

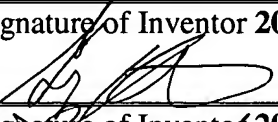
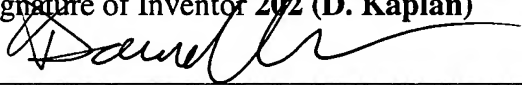
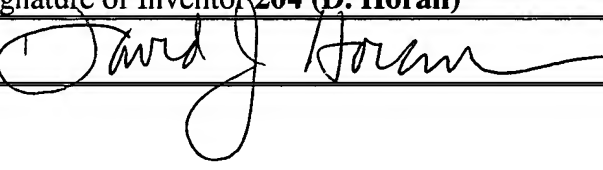
<b>201</b>	FULL NAME OF INVENTOR	LAST NAME <b>Altman</b>	FIRST NAME <b>Gregory</b>	MIDDLE NAME <b>H.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Dedham</b>	STATE OR FOREIGN COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>US</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>43 Greensboro Rd.</b>	CITY <b>Dedham</b>	STATE OR COUNTRY AND ZIP CODE <b>MA 02026</b>

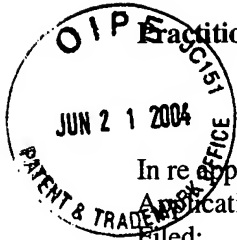
<b>202</b>	FULL NAME OF INVENTOR	LAST NAME <b>Kaplan</b>	FIRST NAME <b>David</b>	MIDDLE NAME <b>L.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Concord</b>	STATE OR FOREIGN COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>US</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>46 Pond Street</b>	CITY <b>Concord</b>	STATE OR COUNTRY AND ZIP CODE <b>MA 01742</b>

<b>203</b>	FULL NAME OF INVENTOR	LAST NAME <b>Horan</b>	FIRST NAME <b>Rebecca</b>	MIDDLE NAME <b>L.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Westfield</b>	STATE OR FOREIGN COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>US</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>100 Loomis Ridge</b>	CITY <b>Westfield</b>	STATE OR COUNTRY AND ZIP CODE <b>MA 01085</b>

2 0 4	FULL NAME OF INVENTOR	LAST NAME <b>Horan</b>	FIRST NAME <b>David</b>	MIDDLE NAME <b>J.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Westfield</b>	STATE OR FOREIGN COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>US</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>100 Loomis Ridge</b>	CITY <b>Westfield</b>	STATE OR COUNTRY AND ZIP CODE <b>MA 01085</b>

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor <b>201 (G. Altman)</b> 	Date: <b>3/26/04</b>
Signature of Inventor <b>202 (D. Kaplan)</b> 	Date: <b>3/26/04</b>
Signature of Inventor <b>203 (R. Horan)</b> <b>Rebecca L. Horan</b>	Date: <b>3/26/04</b>
Signature of Inventor <b>204 (D. Horan)</b> 	Date: <b>3.26.04</b>



Practitioner's Docket No. 032794-054780

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Altman et al.

Application No.: 10/008,924

Group No.: 1651

Filed: November 16, 2001

Examiner: David M. Naff

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS,  
TENDONS AND OTHER TISSUE

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

6/17/2004  
Date

Nicole M. Dyer  
(type or print name of person mailing paper)

Nicole M. Dyer  
Signature of person mailing paper

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)

As assignee of record of the entire interest of the above identified

☒ application,

☐ patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

Ronald I. Eisenstein	(Reg. No. 30,628)
David S. Resnick	(Reg. No. 34,235)
Nicole L.M. Valtz	(Reg. No. 47,150)
Leena Karttunen	(37 CFR Sec. 10.9(b))
Michael L. Goldman	(Reg. No. 30,727)
Georgia Evans	(Reg. No. 44,957)
Gunnar G. Leinberg	(Reg. No. 35,584)
Edwin V. Merkel	(Reg. No. 40,087)
Joseph Noto	(Reg. No. 32,163)

In re application of: Altman et al.

Application No.: 10/008,924

Filed: November 16, 2001

For:

Group No.: 1651

Examiner: David M. Naff

MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

*(check the following item, if applicable)*

☐ Attached, as part of this power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO:**

David S. Resnick  
Nixon Peabody LLP  
100 Summer Street  
Boston, MA 02110-1832


**DIRECT TELEPHONE CALLS TO:**

David S. Resnick (617) 345-6057

**Assignee:**

Tissue Regeneration, Inc.  
200 Boston Avenue, Suite G-350  
Medford, MA 02155

Date 3-26-04

  
\_\_\_\_\_  
*Signature*

Gregory Altman, Ph.D., President and Founder  
*(type or print name of person authorized to sign on behalf  
of assignee)*

☐ Recorded on \_\_\_\_\_ at  
Reel  
Frame

☒ Recorded herewith

**ASSIGNEE STATEMENT**

Attached to this power is a "STATEMENT UNDER 37 C.F.R. 3.73(b)."



Practitioner's Docket No. 032794-054780

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gregory H. Altman  
Application No.: 10/008,924                      Group No.: 1651  
Filed: 11/16/2001                      Examiner: David M. Naff  
For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED  
LIGAMENTS, TENDONS AND OTHER TISSUE

**CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))**

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6/17/2004  
Date

Nicole M. Gagnon  
(type or print name of person mailing paper)

Nicole M. Gagnon  
Signature of person mailing paper

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)**

**Name of Assignee:**

Tissue Regeneration, Inc.

**Address of Assignee:**

200 Boston Avenue, Suite G-350  
Medford, MA 02155  
Assignment is recorded herewith.

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed herewith.

In re application of:  
Application No.:  
Filed:  
For:

Gregory H. Altman

10/008,924

11/16/2001

MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

Group No.: 1651

Examiner: David M. Naff

### RIGHT OF ASSIGNEE TO TAKE ACTION

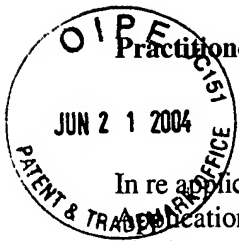
A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

3-26-04  
Date

  
Signature

Gregory H. Altman, President and Founder





Practitioner's Docket No. 032794-054780

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Altman et al.

Application No.: 10/008,924

Group No.: 1651

Filed: November 16, 2001

Examiner: David M. Naff

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS AND OTHER TISSUE

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

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Date

6/17/2004

(type or print name of person mailing paper)

Nicole M. Brennan

Signature of person mailing paper

Nicole M. Brennan

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

I. IDENTIFICATION OF ASSIGNEE

2. Tissue Regeneration, Inc.  
Name of Assignee

Corporation

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

PERSON AUTHORIZED TO SIGN

3. Gregory Altman  
(type name of person authorized to sign on behalf of assignee)

President and Founder

Title of person authorized to sign

[X] I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

In re application of: Altman et al.

Application No.: 10/008,924 Group No.: 1651

Filed: November 16, 2001

Examiner: David M. Naff

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

### BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at
2. ☒ An assignment (document) is being submitted simultaneously herewith for recording, but is not yet recorded; a copy of this assignment is attached.

### AND/OR

B. ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_  
Name of inventor(s)  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
2. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
3. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

*(check item below, and add details, if applicable)*

☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

In re application of: Altman et al.

Application No.: 10/008,924      Group No.: 1651

Filed: November 16, 2001

Examiner: David M. Naff

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

### COPIES OF DOCUMENTS IN CHAIN OF TITLE

*(complete this item, if copies are being sent)*

☐ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input type="checkbox"/>	A	<input type="checkbox"/>	1	<input type="checkbox"/>	2	
<input type="checkbox"/>	B	<input type="checkbox"/>	1	<input type="checkbox"/>	2	<input type="checkbox"/> 3

  
\_\_\_\_\_  
Signature of authorized person

Gregory Altman

*(type or print name of authorized person)*

President and Founder

Title of authorized person



Practitioner's Docket No. 032794-054780

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gregory H. Altman  
Application No.: 10/008,924 Group No.: 1651  
Filed: 11/16/2001 Examiner: David M. Naff  
For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED  
LIGAMENTS, TENDONS AND OTHER TISSUE

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6/17/2004  
Date

Nicole M. Grinao  
(type or print name of person mailing paper)

Nicole M. Grinao  
Signature of person mailing paper

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)

Name of Assignee:

Tufts University

Address of Assignee:

Ballou Hall  
4<sup>th</sup> Floor  
Medford, MA 02155

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed herewith.

In re application of:  
Application No.:  
Filed:  
For:

Gregory H. Altman

10/008,924

11/16/2001

MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

Group No.: 1651

Examiner: David M. Naff

### RIGHT OF ASSIGNEE TO TAKE ACTION

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

4/8/2004  
Date

Margaret Newall  
Signature

Margaret Newall, Associate Provost for Research



Practitioner's Docket No. 032794-054780

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Altman et al.

Application No.: 10/008,924

Group No.: 1651

Filed: November 16, 2001

Examiner: David M. Naff

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS,  
TENDONS AND OTHER TISSUE

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

6/17/2004  
Date

Nicole M. Bognar  
(type or print name of person mailing paper)

Nicole M. Bognar  
Signature of person mailing paper

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

I. IDENTIFICATION OF ASSIGNEE

2. Trustees of Tufts College  
Name of Assignee

University

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

PERSON AUTHORIZED TO SIGN

3. Margaret Newell  
(type name of person authorized to sign on behalf of assignee)  
Associate Provost for Research  
Title of person authorized to sign

[X] I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

In re application of: Altman et al.

Application No.: 10/008,924

Group No.: 1651

Filed: November 16, 2001

Examiner: David M. Naff

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
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**A.**

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at
2. ☒ An assignment (document) is being submitted simultaneously herewith for recording, but is not yet recorded; a copy of this assignment is attached.

**AND/OR**

**B. ☐ A chain of title from the inventor(s) to the current assignee as shown below:**

1. From: \_\_\_\_\_  
Name of inventor(s)  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
2. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
3. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

*(check item below, and add details, if applicable)*

- ☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

In re application of: Altman et al.

Application No.: 10/008,924

Filed: November 16, 2001

For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

Group No.: 1651

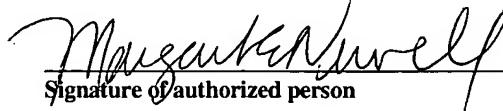
Examiner: David M. Naff

### COPIES OF DOCUMENTS IN CHAIN OF TITLE

*(complete this item, if copies are being sent)*

[ ] Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

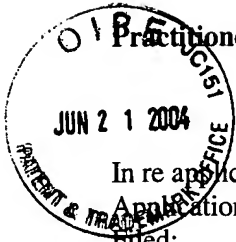
[ ]	A	[ ]	1	[ ]	2	
[ ]	B	[ ]	1	[ ]	2	[ ] 3

  
\_\_\_\_\_  
Signature of authorized person

Margaret Newell  
\_\_\_\_\_  
*(type or print name of authorized person)*

Associate Provost for Research  
\_\_\_\_\_  
Title of authorized person





Practitioner's Docket No. 032794-054780

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Altman et al.

Application No.: 10/008,924

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For:

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Date

6/17/2004

Nicole M. Bignard  
(type or print name of person mailing)

Nicole M. Bignard  
(signature of person mailing paper)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)

As assignee of record of the entire interest of the above identified

☒ application,

☐ patent,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Ronald I. Eisenstein	(Reg. No. 30,628)
David S. Resnick	(Reg. No. 34,235)
Nicole L.M. Valtz	(Reg. No. 47,150)
Leena Karttunen	(37 CFR Sec. 10.9(b))
Michael L. Goldman	(Reg. No. 30,727)
Georgia Evans	(Reg. No. 44,957)
Gunnar G. Leinberg	(Reg. No. 35,584)
Edwin V. Merkel	(Reg. No. 40,087)
Joseph Noto	(Reg. No. 32,163)

In re application of: Altman et al.

Application No.: 10/008,924 Group No.: 1651

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For: MATRIX FOR THE PRODUCTION OF TISSUE ENGINEERED LIGAMENTS, TENDONS  
AND OTHER TISSUE

*(check the following item, if applicable)*

☐ Attached, as part of this power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

---

**SEND CORRESPONDENCE TO:**

David S. Resnick  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110

---

**DIRECT TELEPHONE CALLS TO:**

David S. Resnick (617) 345-6057

**ASSIGNEE**

Trustees of Tufts College

*(type or print identity of assignee of entire interest)*

Ballou Hall, 4<sup>th</sup> Floor, Medford, MA 02155

Address

☐ Recorded in PTO on

Reel \_\_\_\_\_

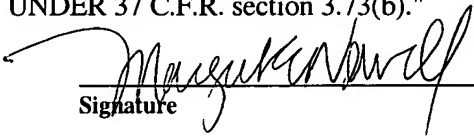
Frame \_\_\_\_\_

☒ Recorded herewith

**ASSIGNEE STATEMENT**

Attached to this power is a "STATEMENT UNDER 37 C.F.R. section 3.73(b)."

Date 4/8/2004

  
\_\_\_\_\_  
Signature

Margaret Newell

*(type or print name of person authorized to sign on behalf of assignee)*

Associate Provost for Research, Trustees of Tufts College

Title